IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 1866 of 2007

Date of Decision : 06.02.2007

Pawan Kumar Kaushal ... Petitioner

Versus

State of Punjab and others. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. Ajay Sharda, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

Through the instant writ petition, the petitioner claims that the service rendered by him on ad hoc basis prior to his induction into the service of the respondents as a regular Mathematics teacher be taken into consideration for computing qualifying service while determining the pensionary benefits payable to him. On the issue in hand, the petitioner is stated to have submitted a legal notice dated 13.07.2006 (Annexure P-1). However, no decision is stated to have been taken thereon till date.

Learned counsel for the petitioner states, that the petitioner will be satisfied, if the instant writ petition is disposed of, with a direction to respondent No.2 i.e. the Director Public Instructions (Schools), Punjab, requiring him to take a final decision on the legal notice dated 13.07.2006 (Annexure P-1).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate General, Punjab, accepts notice on behalf of respondent Nos. 1 to 4. Learned

counsel for the respondents states, that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioner.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.2 i.e. the Director Public Instructions (Schools), Punjab, to take a final decision on the legal notice dated 13.07.2006 (Annexure P-1) by passing a well reasoned speaking order, within two months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to the petitioner within a further period of one month.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge

February 06, 2007
vkd

(S.D. Anand)
Judge